IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION No.27533 of 1997

Between:

SC, ST & BC Forum, Guntur District,
rep. by its Secretary Yugam Sambasiva Rao,
S/o. Late Veeraswamy, Aged: 43 years,
Guntur District, R/o 1st Lane,
Navabharatnagar, Ring Road, Guntur.

..... PETITIONER

AND

1 Govt of A.P. Rep by its Prl. Secretary,
Higher Education, Secretariat Buildings,
Hyderabad.
2 Director for Higher Education,
Nampally, Hyderabad.
3 Chairman for Collegiate Education
Gaganvihar, Nampally,
Hyderabad.
4 Registrar, Nagarjuna University,
Nagarjunanagar, Guntur.
5 Regional Joint Director,
Higher Education, Guntur.
6 Correspondent,
S.V.R.M.College, Nagaram,

Guntur District.

7 S.Dass S/o. Premaiah

S.V.R.M.College, Nagaram,
Guntur.

(R-7 impleaded as per Court Order dtd 27-03-1998 in WPMP No.9711/98)

8 Anjani Hari Krishna S/o. Nagendra Rao,
R/o. Indian Bank Road, Repali,
Guntur District.

(R-8 is impleaded as per Court Order dt. 4-8-1998 in WPMP No.23829/98)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus declare the action of the respondent No.6 in issuing the paper publication dt.30.9.97 published on 2.10.1997 in Andhra Pradesh Telugu daily as Contrary to law, unconstitutional, violative of Articles 14 & 16 of the Constitution of India and consequently direct the respondent to issue fresh paper publication/advertisement for the posts of Lecturer in the 6the respondent college following roaster system and pass such and further order or orders as this Hon'ble court deems fit and proper in the interest of Justice.

Counsel for the Petitioner : Sri V.R.Avula

Counsel for the Respondents No.1 to 3: Govt. Pleader for Higher Education

Sri G.Vidyasagar for R-8

Sri C.Kodanda Ram for R-6 (N.P.)

Sri T.S.Harinath for R-4

Sri Kesana Rama Koteswara Rao for R-7

The Court made the following :

ORAL ORDER: (Per Hon'ble Sri Bilal Nazki, the Acting Chief Justice)

Heard learned counsel for the petitioner and learned counsel appearing for respondent No.8. Though respondent No.6 filed counter-affidavit, nobody appears for it.

This writ petition was filed challenging the notification published on 02-10-1997 in Andhra Prabha Telugu daily as according to the petitioner, the notification had not been issued keeping in view the roster system and the reservation. An order of stay was passed by this Court, which was modified on

16-12-1998 and on 16-12-1998, the following order was passed:

> " I have heard the learned counsel for the parties. The writ petition has been filed in public interest by SC, ST, and BC Forum, Guntur district, challenging the notification inviting applications for appointment of Lecturers. Certain contentions have been raised and it has been stated that the advertisement itself has been issued in contradiction to the roster system. Counters have been filed. These controversies can be gone into at the final stage of the writ petition, but at the same, the interim order restraining the making of appointments by the respondents has been passed on 23rd October, 1997 whereby twenty posts of lecturers

> remained unfilled. This will not only be detrimental to the interests of the candidates, who may be selected, but also will be detrimental to the students for whose benefit the lecturers are being appointed. Therefore, I think it proper to vacate the order of interim stay granted. The respondents shall be at liberty to make appointments, but they shall ensure the appointments are made strictly in accordance with Rules and the candidates appointed shall also be told in the appointment order itself that their appointment shall be subject to the final outcome of this writ petition."

It appears that after this order was passed, necessary appointments were made keeping in view the rule of reservation and roster system. Therefore, we think no further orders are needed to be passed. The writ petition is disposed of accordingly.

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BILAL NAZKI, ACJ.

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Dr. G.YETHIRAJULU, J.

19-04-2005

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SECTION OFFICER

To

1 The Principal Secretary, Higher Education,
Govt. of A.P., Secretariat Buildings,
Hyderabad.
2 Director for Higher Education,
Nampally, Hyderabad.
3 Chairman for Collegiate Education
Gagan Vihar, Nampally,
Hyderabad.
4 Registrar, Nagarjuna University,
Nagarjunanagar, Guntur.
5 Regional Joint Director,

Higher Education, Guntur.

6. 2 CCs to Govt. Pleader for Higher Education, High Court

Buildings, Hyderabad (OUT)

7. 2 CD copies

8. Correspondent, SVRM College, Nagaram, Guntur district.

*Form-NIC-OGS/WP{**JPK**}*